

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

BAPTIST HEALTH

Plaintiff

vs.

Case No. 3:09CV060-MPM-SAA

BANCORPSOUTH INSURANCE
SERVICES, INC., d/b/a/ RAMSEY, KRUG,
FARRELL & LENSING,

Defendant

NOTICE OF ISSUANCE OF SUBPOENA

TO: All Counsel of Record

PLEASE TAKE NOTICE that Plaintiff, Baptist Health, through counsel, has this date issued a subpoena duces tecum to John S. Pierce pursuant to Rule 45 of the Federal Rules of Civil Procedure.

Said subpoena duces tecum requires the said John S. Pierce to produce at the office of Foley & Lardner, LLP, 777 E. Wisconsin Avenue, Milwaukee, WI or by mailing or sending via Federal Express a copy of the following records no later than April 8, 2010:

See attached Exhibit "A"

Dated this the 26th day of March, 2010.

HOLCOMB DUNBAR, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2010, I electronically filed the foregoing Notice of Issuance of Subpoena with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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EXHIBIT A

DEFINITIONS

For purposes of this subpoena, the term “document” is used in the broadest possible sense. It refers, without limitation, to all written, printed, typed, photostatic, photographed, recorded, or otherwise reproduced communications, data compilations, or representations of every kind, whether comprised of letters, words, numbers, pictures, sounds, or symbols, whether prepared by manual, mechanical, electronic, magnetic, photographic, or other means, as well as audio, video or other recordings of communications, oral statements, conversations, or events.

This definition includes, but is not limited to, any and all of the following: correspondence, notes, minutes, records, messages, memoranda, telephone memoranda, diaries, contracts, agreements, invoices, e-mails, orders, acknowledgements, receipts, bills, statements, appraisals, reports, forecasts, compilations, schedules, studies, summaries, analyses, pamphlets, brochures, advertisements, newspaper clippings, tables, tabulations, financial statements, working papers, tallies, maps, drawings, diagrams, pictures, film, microfilm, microfiche, computer-stored or computer-readable data, computer programs, computer printouts, telegrams, telexes, telefacsimiles, tapes, transcripts, recordings, and all other sources or formats from which data, information, or communications can be obtained.

Any preliminary versions, drafts, or revisions of any of the foregoing, any document which has or contains any attachment, enclosure, comment, notation, addition, insertion, or marking of any kind which is not a part of another document, or any document which does not contain a comment, notation, addition, insertion, or marking of any kind which is a part of another document, is to be considered a separate document.

DOCUMENTS TO BE PRODUCED

1. All documents, information and/or materials reviewed or relied upon in preparing the expert report in the litigation between Baptist Health and BancorpSouth Insurance Services, Inc., or forming the opinions expressed therein.
2. All underwriting materials relating to Baptist Health.
3. The working file of John S. Pierce relating to his retention in the litigation of *Baptist Health v. BancorpSouth Insurance Services, Inc.*
4. All drafts of any expert report issued in *Baptist Health v. BancorpSouth Insurance Services, Inc.*
5. All correspondence (including, but not limited to, emails) with BancorpSouth Insurance Services, Inc. or any of its representatives

relating to, referring to or otherwise regarding work done in the case *Baptist Health v. BancorpSouth Insurance Services, Inc.*